

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 24486 of 2025

Arising Out of PS. Case No.-175 Year-2024 Thana- SARAI RANJAN District- Samastipur

Santosh Kumar @ Santosh Sahni S/o Raja Ram Sahni R/o Village- Gangsara,
P.S.- Sarairanjan, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 06-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State .

2. Petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 310(2) and 317(3) of
the BNS.

3. The case of the prosecution in brief is that on
13.12.2024 at 06:00 PM informant-driver of Bhavani Trader's
Bolero pick-up departed from Patna to Madhepura carrying 130
bundles of *Nasha Mukh Bihar* pamphlets. The route was via
Baruma Bridge and SH-88, near Dalsinghsarai at around 10:00
PM, the vehicle was stopped by a blue Apache motorcycle and a
white Scorpio. Two unknown persons on the motorcycle
threatened the informant with a gun, physically assaulted him,
threw him out of the vehicle and robbed his mobile and the



vehicle. It is further alleged that the accused fled towards Dalsinghsarai.

4. Learned counsel for the petitioner humbly submits that the petitioner is innocent and has been falsely implicated in the present case. Learned counsel for the petitioner further submits that petitioner was not named in the FIR but was subsequently implicated in the present case on the basis of confessional statement of co-accused, which cannot be used against him. He further submits that there is no recovery of any stolen article from the petitioner. He further emphasizes the fact that the petitioner has clean antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case stated above and particularly the fact that no recovery has been made from the petitioner and that the petitioner was not named in the FIR and his name has come later on based on the confessional statement of co-accused which cannot be used against the petitioner. At this stage, the petitioner deserves to be granted the privilege of anticipatory bail.

7. Accordingly, the petitioner in the event of his arrest



or surrender within four weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.25,000/-(Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Samastipur in connection with Sarairanjan P.S. Case No. 175 of 2024, subject to the conditions laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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